

**BOARD OF SUPERVISORS  
PUBLIC HEARING**

**SUBJECT:** **Loudoun County Parking Garages -Public-Private  
Transportation Act of 1995 Proposals**

**ELECTION DISTRICTS:** Broad Run and Dulles

**CRITICAL ACTION DATE:** February 12, 2014

**STAFF CONTACTS:** Donnie Legg, Procurement Officer, Management and  
Financial Services  
Ben Mays, Director, Management & Financial Services

**RECOMMENDATION:**

**Staff:** There is no staff recommendation at this time. This process meets the public hearing compliance requirement of the Code of Virginia §§ 56-556, the Public – Private Transportation Act of 1995 (referred to herein as “Public Private Transportation Act”).

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**BACKGROUND:** On November 15, 2011, the Board of Supervisors (“Board”) approved a Memorandum of Agreement (MOA) outlining commitments pertaining to Phase 2 of the Dulles Corridor Metrorail Project between the County, the U.S. Department of Transportation (USDOT), the Washington Metropolitan Area Transit Association (WMATA), Fairfax County, the Commonwealth of Virginia, and the Metropolitan Washington Airports Authority (MWAA). Included in the MOA was a commitment from the County to use its best efforts to secure additional funding sources that will be sufficient to fund the cost of the design and construction of the parking facility at the Route 606 Station and the two parking facilities at the Route 772 Station.

In discussions leading up to the approval of the MOA, the Board’s support for securing additional funding for the parking facilities was based on the following:

- The County would make a reasonable and best effort to assemble a financial option for the three (3) parking facilities as defined above, thereby taking the cost of those facilities out of the project, and
- The removal of the parking facilities from the project scope would be contingent upon either: (1) a private sector partner and/or the Commonwealth guaranteeing and backing

the cost of the facilities; or, (2) an alternative financing option that would require no local tax funding support, as well as, [at that time], the realization of TIFIA financing.

On July 3, 2012, the Board voted to opt-in to the Phase 2 Dulles Corridor Metrorail Project thereby moving forward with the overall Metrorail project. At the same time, and as agreed to in the MOA, the Board was required to explore the development of the three parking facilities and the need for this partnership proposal to develop the parking facilities to be issued.

On November 16, 2012, the County issued a Solicitation for Conceptual Proposals through the Public-Private Transportation Act of 1995 for Loudoun County Parking Facilities (SCP). After an evaluation of those proposals, the Board directed staff to cancel that solicitation and issue a more detailed solicitation based on information gathered to that point in hopes of attracting more competition. Based on that direction, staff issued a new solicitation for the design, construction, financing, operation and maintenance of up to three parking garages in Loudoun County in conjunction with Phase 2 of the Dulles Corridor Metrorail Project. The solicitation required offerors to show they had control of the land they were proposing on for the Route 772 North site and provide information under two financing scenarios. Scenario 1 was for private financing of the parking garages using private equity and private debt. Scenario 2 was for public financing of the parking garages using private equity and County issued, taxable, public debt. For consistency, offerors were requested to make the following simplifying assumptions for the County-issued, taxable, public debt: the debt shall be amortized over a 30 year period at an interest rate of 7.25%..

From that solicitation, four (4) proposals were received and evaluated by County staff and County consultants from Jones, Lange and LaSalle. The four (4) offerors and a brief description of their submissions are as follows:

- Comstock Partners: Construct a parking garage at the 100% Preliminary Engineering site made available by the Metropolitan Washington Airports Authority (MWAA) for the Route 606 Station, a parking garage at the 100% Preliminary Engineering site on the 3.6 acre site previously proffered to the County as part of the Moorefield Station development for the Route 772 South Station and a parking garage on Comstock owned land at Route 772 North.
- WestDulles Station, LLC: Construct a parking garage at the 100% Preliminary Engineering site made available by the Metropolitan Washington Airports Authority (MWAA) for the Route 606 Station, a parking garage at the 100% Preliminary Engineering site on the 3.6 acre site previously proffered to the County as part of the Moorefield Station development for the Route 772 South Station and a parking garage on the 100% Preliminary Engineering site at Route 772 North.
- Trammell Crow Company & Route 606 LLC: Construct a parking garage at the 100% Preliminary Engineering site made available by the Metropolitan Washington Airports Authority (MWAA) for the Route 606 Station and a parking garage at the 100%

Preliminary Engineering site on the 3.6 acre site previously proffered to the County as part of the Moorefield Station development for the Route 772 South Station.

- Nexus Properties: Construct a parking garage at the 100% Preliminary Engineering site made available by the Metropolitan Washington Airports Authority (MWAA) for the Route 606 Station and a parking garage at the 100% Preliminary Engineering site on the 3.6 acre site previously proffered to the County as part of the Moorefield Station development for the Route 772 South Station.

On January 15, 2014, the Board of Supervisors resolved to notify the United States Department of Transportation (USDOT) that the County will finance and construct the garages separate from the Dulles Corridor Metrorail Project provided that the USDOT provides TIFIA assistance for the Metrorail project.

Also, On January 15, 2014, the Board of Supervisors accepted the four proposals for further consideration. The Board directed staff to present the proposals at the February 12, 2014 Public Hearing. Staff will continue to evaluate the proposals and carry on further discussions with each offeror. It is staffs intent to present a recommendation to the Board of Supervisors to begin negotiations for the garages in June 2014. Negotiations are anticipated to take up to 12 months depending on the number of firms selected to negotiate with.

The proposals may be viewed on the Loudoun County Procurement website [www.loudoun.gov/procurement](http://www.loudoun.gov/procurement).

**ISSUES:** This Public Hearing is being held to solicit any public comment on the proposals received and to meet the requirement of the Public-Private Transportation Act of 1995 and the Loudoun County Procurement Resolution. The Proposal Analysis Group (PAG) is performing an evaluation of the proposals concurrently. All public comment will be considered during the PAG evaluation.

**FISCAL IMPACT:** At this time all financial information has been marked proprietary and confidential using the criteria set forth in the Virginia Freedom of Information Act (FOIA) Section 2.2-3705.6(11), the PPTA and the County's Procurement Resolution, and therefore cannot be disclosed to the public.

**DRAFT MOTIONS:**

1. No action by the Board of Supervisors is necessary at this time.